

## II. REMARKS

### Preliminary Remarks

Upon entry of this Amendment, claims 12 to 15 will be pending, of which claim 12 is independent. Claims 12 to 15 are amended and claims 1 to 11 were withdrawn from consideration. Support for the claim amendments can be found in the specification as originally filed (see, for example, page 6). The applicants believe that no new matter is added.

This response is filed within the shortened statutory period for response, no fee due. The applicants respectfully request reconsideration and allowance of the present application.

### Patentability Remarks

#### *Rejections under 35 U.S.C. §112 –*

Claims 12 to 15 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The applicants respectfully traverse in view of the preceding claim amendments and succeeding remarks.

Claim 12 is amended to an independent claim in product-by-process format. Claims 13 and 14 are amended to remove the phrases “preferably in the range 390°C - 410°C” and “preferably in the range 50 nm - 150 nm” respectively. Claim 15 is amended to recite a method for the insulation of conductors in integrated circuits comprising utilizing dielectric films according to claim 12.

The applicants respectfully submit that claims 12 to 15 are not indefinite under 35 U.S.C. §112, second paragraph, and respectfully request withdrawal of this rejection.

#### *Rejection under 35 U.S.C. §101 –*

Claim 15 was rejected under 35 U.S.C. §101 as claiming the recitation of a use, without setting forth any steps involved in the process. The applicants respectfully submit that this rejection is moot in view of the preceding claim amendments and succeeding remarks.

While not necessarily agreeing with the examiner's rejection, the applicants have amended claim 15 to a method for the insulation of conductors in integrated circuits comprising utilizing dielectric films according to claim 12. This claim format is in accordance with the Manual of Patent Examining Procedure (M.P.E.P. §2173.05(q)) and the applicants respectfully request withdrawal of this rejection.

*Rejection under 35 U.S.C. §102/§103 –*

Claims 12 to 14 were rejected under 35 U.S.C. §102(b), as being anticipated by, or in the alternative under 35 U.S.C. §103(a), as obvious over, Marchese *et al.* (EP 0 99 027). The applicants respectfully traverse in view of the preceding amendments and succeeding remarks.

Marchese *et al.* disclose a process for preparing TFE homopolymer or copolymer dispersions, comprising: preparing an aqueous microemulsion of PTPE with non-reactive or perfluoroalkyl end groups, optionally containing one or more H or Cl atoms instead of F; feeding the microemulsion into the polymerization reactor; feeding the reaction medium into the reactor, degassing it, pressurizing with gaseous TFE; adding the initiator and optional other additives; and discharging the latex.

All the examples of Marchese *et al.* use ionic surfactants (either fluorinated carboxylic acids, page 5, line 21 or their ammonium salts, page 10, line 15). Notwithstanding the general statement in paragraph 27 regarding non-ionic surfactants, one of ordinary skill in the art would not view the disclosure of Marchese *et al.* as teaching or fairly suggesting any given range of non-ionic fluorinated surfactants in the latex, let alone a range of 18% to 60% by weight as claimed.

In example 10 of the specification (page 29), adding 18% to 60% by weight of non-ionic fluorinated surfactants to a PTFE latex, in accordance with the presently claimed invention, and then applying the mixture to a silicon wafer by spin-coating, drying, sintering at 400°C, and then air-cooling, produces a film that is 115 mm thick and of good quality. In contrast as shown by comparative Examples 16 and 19 (pages 33 and 35), addition of 6% and 10% (respectively) by weight of non-ionic fluorinated surfactants to the PTFE latex results in no film or a poor film (with surface defects and inhomogeneity).

In other words, the claimed invention is not anticipated by Marchese *et al.* Further, one of ordinary skill in the art would not have expected that 18% to 60% by weight of non-ionic fluorinated surfactants produces a film, while other amounts would not. Therefore, the applicants respectfully submit that claims 12 to 14 are neither anticipated by, nor would have been obvious over, Marchese *et al.*, and request withdrawal of this rejection.


### III. CONCLUSION

In view of the amendments and remarks above, the applicants respectfully submit that this application is in condition for allowance and request favorable action thereon.

In the event this response is not timely filed, the applicants hereby petition for an appropriate extension of time. The fee for this extension, along with any other additional fees which may be required with respect to this response, may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 108910-00042.

Respectfully submitted,

ARENT FOX PLLC

  
\_\_\_\_\_  
Gautam Prakash, Ph.D.  
Registration No.: 53,481  
Direct Telephone No.: 202-857-6057

Customer No.: **004372**

1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339

Telephone No.: 202-857-6000  
Facsimile No.: 202-638-4810

GP/ccd